



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.317 of 2024

State of Odisha and others

....

Appellants

Mr. Satyabrata Mohanty, AGA

-Versus-

Suravi Dalei

....

Respondent

Mr. Srikanth Kumar Mishra, Advocate

CORAM:

**JUSTICE KRISHNA SHRIPAD DIXIT
JUSTICE CHITTARANJAN DASH**

**Order No.
01.**

**ORDER
04.05.2026**

I.A. No.890 of 2024 & W.A. No.317 of 2024

This Intra-Court appeal seeks to lay challenge to the order dated 14.09.2023 of the learned Single Judge whereby the respondent-employee in W.P.(C) No. 12475 of 2023 having been favoured, the following relief has been accorded:

“It is, therefore, most humbly and respectfully prayed that this Hon’ble Court may graciously be pleased to admit the appeal, call for the records of the writ petition, issue notice to the respondent/ opposite party and after hearing the parties; this Hon’ble Court may graciously be pleased to set aside/ reverse the Judgment passed by the Hon’ble Single Judge dated 14.09.2023 in W.P, (C) No. 12475 of 2023 and further hold that the Respondent is not entitled to any relief as has been granted to him by the Hon’ble Single Judge.”

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Appeal has been filed after brooking a delay of 145 days
and an application in I.A. No. 890 of 2024 supported by affidavit



has been filed and delay is not that too long and some plausible explanation has also been offered. Learned counsel appearing for the respondent very fairly submits that the delay may be condoned. We appreciate this. In view of this, the application having been favoured, delay is condoned.

3. Having heard learned counsel for the parties and having perused the appeal papers, we declined indulgence in the matter broadly agreeing with the view of the learned Single Judge; Firstly, the respondent-employee has put in a continuous service for more than two decades with no complaint whatsoever; secondly, the services of the respondent-employee came to be regularized vide order dated 02.12.1996; thirdly, the said regularization order in so many words refers to the resolution dated 19.08.1996; fourthly, no explanation is offered as to why no action is taken against the author of regularization order dated 02.12.1996; fifthly, justice of the case warrants that the appeal of the kind should be dismissed, there being jurisprudential reasoning in the impugned order which has brought about a just result notwithstanding a few arguable points.

In the above circumstances, appeal is dismissed with a direction to the appellants to finalize regular pension of the respondent-employee within a period of eight weeks without dragging the respondent to another legal battle.

Costs reluctantly made easy.

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Web copy of order to be acted upon by all concerned.

(Krishna S. Dixit)
Judge

(Chittaranjan Dash)
Judge

PKSahoo

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